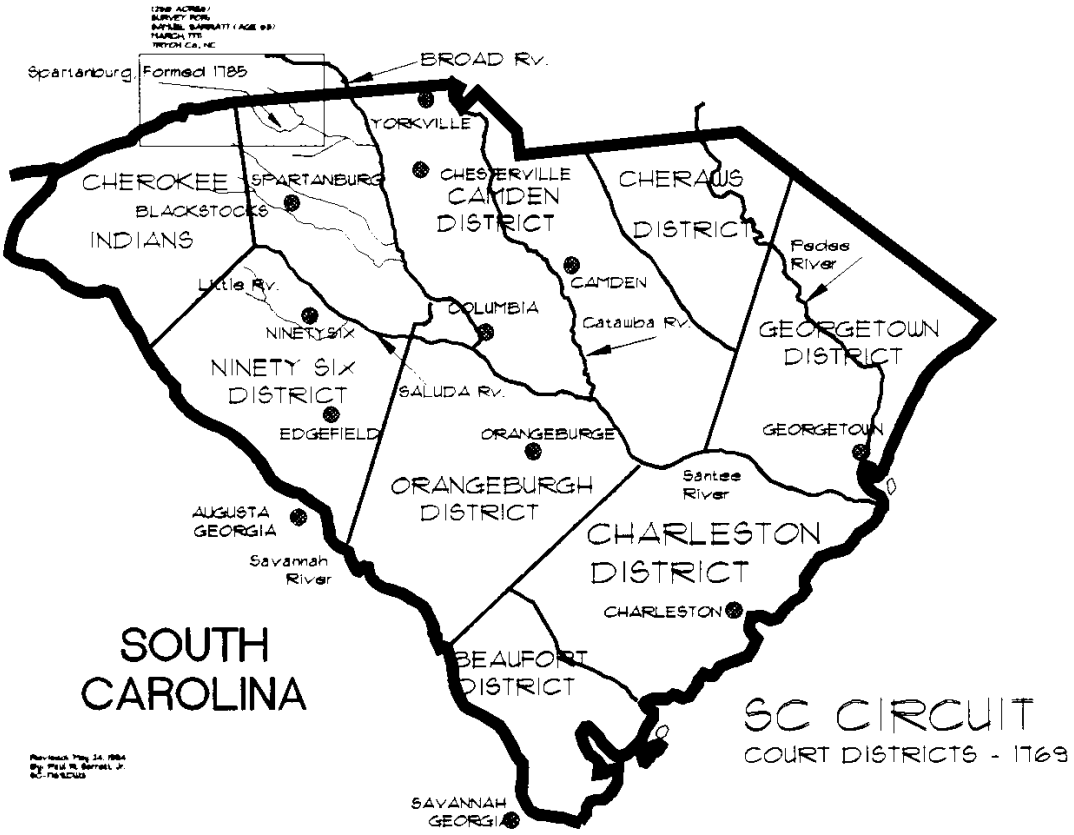
Cheraws District, South Carolina: A Brief History

Map from *History of Old Cheraws*[1]

Lynches Creek, Sparrow Swamp and Jeffries Creek figure in many of the plats surveyed for Hills and Scaffs or with Hills and Scaffs as adjoining landowners.

St. David's was created by the legislature in 1768, the only parish established in this part of Craven County. In 1769, seven judicial (Circuit Court) districts were created, with Cheraws District having essentially the same boundaries as St. David's Parish, i.e., "from the northward-most corner of Williamburg Township to Lynche's Creek, and from thence by that Creek to the provincial line."[2]

1 Alexander Gregg, *History of Old Cheraws* (New York: Richardson and Co., 1867), p. 8, cropped.
2 Ibid., p. 163, 185.



Districts, 1769-1784[3]

Upcountry vs. Lowcountry in South Carolina

"Wealth and power belonged to the planters and merchants of the lowcountry (coastal regions), many of whom lived a highly cultured life and educated their sons at the Inns of Court in London. Upcountry (inland upstate) settlers were yeoman farmers who wore rough clothing, and scratched out a living on small farms, while fending off the occasional Indian raid."[4]

"In 1774 a list of the ten richest men in America placed Peter Manigault of South Carolina at number one. Number two was a New Englander with less than half

[3] From "Maps Tracing the Formation of Counties in South Carolina," South Carolina Department of Archives and History (https://www.archivesindex.sc.gov/guide/countyrecords/countymap2.htm)

[4] Janis Walker Gilmore, *Research in South Carolina* (Arlington, Va.: National Genealogical Society, 2011), Preface.

of Manigault's wealth; the remaining eight were lowcountry South Carolinians. In stark contrast, the upcountry or Backcountry was populated by struggling yeoman farmers who owned few slaves...A tough and independent breed, they took care of themselves with little political or economic support from the lowcountry."[5]

"*County government* was different from that of other colonies from the beginning. Four counties were created [in 1682 and 1686]: Craven, Berkeley, Colleton, and Granville. These functioned only as election districts...for the organization of militia, and as geographic definitions of land grant locations; they did not create local records."[6]

"Colonial government was administered from Charleston. Even after the 1769 creation of judicial districts, Charleston remained the central repository for all records. There were no town governments, not even in Charleston. The Assembly created committees for necessary duties (for instance, road commissions) that would have been administered by counties in other colonies; this resulted in a powerful Assembly."[7]

"...the parish and the district were election districts for the General Assembly. This gave the lowcountry, with its numerous small parishes, a distinct advantage. Despite having over half the white population in the state, the backcountry received less than half of the seats in the House of Representatives. Although each district or parish was allotted one senator, Charleston had two parishes, inflating its power."[8]

"The first expression of the popular voice, with reference to the evils of which we have spoken, is found in the records of the Upper House of Assembly, or Council, March 16th, 1752. On that day, this entry was made - 'Read the petition of the Inhabitants on Pedee River, about the mouth of Lynche's Creek, Humbly setting forth: That the Humble Petitioners reside in the remotest parts of this Province, having 200 miles to travel to the seat of Government; and that trade and commerce among us are greatly obstructed for want of a County Court

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5 Ibid., p. 3.

6 Ibid. See also, "Proprietary Counties, 1682," South Carolina Department of Archives and History (https://www.archivesindex.sc.gov/guide/CountyRecords/propco.htm).

7 Gilmore, *Research in South Carolina*, p. 3.

8 "Counties, districts, and parishes," South Carolina Encyclopedia (https://www.scencyclopedia.org/sce/entries/counties-districts-and-parishes/).

appointed to hear and determine all causes, as well civil as criminal, in the same manner as every Court in each Province to the Northward... We find the frontier here to be a place of refuge for many evil-disposed people and those of the meanest principles, crowding in amongst us—such as Horse Stealers and other Felons, having made their escape from North Carolina, and other parts...while we have no way or means to suppress them. We therefore humbly pray, that an Act be passed, dividing Craven County; and that that part from the mouth of Lynche's Creek upward, to the extent of this Province, on both sides of Great Pedee River, bounding Southwardly by Lynche's Creek, Northwardly by the Province line, which we pray may be further extended; and likewise by a North line from opposite to the mouth of Lynche's Creek to the Province line be one distinct County, in which we may have twelve or more Justices appointed and authorised, without fee or reward, to hear and determine all causes, as well civil as criminal, without having their jurisdiction limited—any person supposing himself aggrieved, to be redressed by appealing to a Superior Court in Charles-town.'"[9]

"And thus the matter ended, except that additional Justices of the Peace were appointed. But their powers were too limited to afford such relief as the inhabitants demanded. No distinct county organization, such as was prayed for, being provided, the consequence was they were deprived of whatever benefit even a County Court of inferior jurisdiction would have brought with it."[10]

"The inhabitants were consequently forced, either to submit to the grievous delay and ruinous expense of prosecuting their claims there, and carrying criminals to Charles-town, or to take the redress of their grievances into their own hands...In the meantime the evils of which they had complained continued to increase, and at length become insupportable. The Provincial Government, reflecting the wishes of that of the Mother Country, was unwilling...to establish Courts in the interior. These once secured, other privileges, it was thought, would be demanded, gradual encroachments be made on the established order of things, the influence of the Government in Charles-town lessened, and by degrees the way prepared for the spirit of liberty, and the assertion of their rights by the people of Carolina. It was a short-sighted and fatal policy."[11]

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9 Gregg, *History of Old Cheraws*, p. 131.
10 Ibid., p. 133.
11 Ibid., pp. 133-134.

"The Grand Jury of Cheraws is believed to have been the only one in the Province which made the wrongs inflicted by the Crown the subject of presentment during the Spring Assizes" [on 15 April 1775]:

> "We present, as an enormous grievance, the power exercised by the British Parliament of taxing and making laws, binding upon the American Colonies in all cases whatsoever, such power being subversive of the most inestimable rights of British subjects — that of being taxed by their consent only, given by their Representatives in General Assembly, and that of trial by jury — both which are evidently inherent in every British American and of which no power on earth can legally deprive them: We, well knowing the importance of those rights in securing to us our liberties, lives and estates, and conceiving it to be every man's indispensable duty to transmit them to his posterity, are fully determined to defend them at the hazard of our lives and fortunes..."[12]

This Grand Jury presentment was made four days before the Battle of Lexington, "the first battle of the American Revolutionary War."[13]

Newman Family

[12] Ibid., pp. 231-233. The Circuit Court Act of 1769 established Circuit Courts at Orangeburg, Ninety-Six, the Cheraws, George-town, Beaufort, and Charles-town (p. 185) but this list should include Camden as well..

[13] "The Battle of Lexington — the first battle of the American Revolutionary War," American History Central (https://www.americanhistorycentral.com/entries/battle-of-lexington/).